Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 04/17/12	Bureau/Station/Facility: Lakewood Station	Admin. Invest.? ☐ Hit? ☐

Incident Information

URN: 912-07100-1365-047	Date: 04/17/12	Time: 1610 hours

City or Station: Bellflower

Location: Cedar Street/ West of Bellflower Boulevard

Nature of Incident: A Paramount robbery suspect fled a robbery scene driving a red compact vehicle, eastbound Artesia Bl into the city of Bellflower. Deputy Norville located the vehicle, a vehicle pursuit ensued, the suspect's vehicle loss control and collided with Deputy Norville's patrol car, at the indicated location. The suspect exited his vehicle and ran westbound Cedar St. During a short foot pursuit, the suspect grabbed his waistband and turned towards Deputy Norville. Fearing for his safety, Deputy Norville fired two rounds from his 9mm handgun, missing the suspect. The suspect surrendered without further incident.

Location Type (*circle one or more*):
Backyard, Beach, **Business**, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **Street**, Other: ____

Lighting (*circle only one*):
Darkness, **Daylight**, Other, Street Lights

Weather (*circle only one*):
Clear, Cloudy, Fog, Rain

Distance: approx. 40-50 yards

Incident Type (*circle one or more*):
Accidental, Armed Person, **Fleeing Suspect**, **Foot Pursuit**, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, **Unarmed Person**, Unintentional, **Vehicle Pursuit**, Warrant Service, Other: ____

Initiated by (*circle only one*):
Arrest Warrant, Call, Observation, **One Person Unit**, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*):
Detective, Inmate Transport, Other, **Routine Patrol**

Total # of Shots Fired by Deputy: 2

Total # of Shots Fired by Suspect: None

Aero Unit? ☐ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Bishop	Brian	C.	EM PM **Day**	**Regular** Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	Butao	Oscar	R.	**On Duty**, Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Hinchman	Carlton	T.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Moses	Steven	J.

PSTD Use Only

SH # ____________

Officer Involved Shooting

URN: 912-07100-1365-047

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
04/17/12	1830 hours	09/28/12	

Employee #	Last Name	First Name	M.I
[redacted]	Bracken	Sonja	M.
[redacted]	Parker	Brenda	
[redacted]	[redacted]	[redacted]	[redacted]

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	OO					NN	
E1	S1	FH	BR	9	Y	Y	NN	

Officer Involved Shooting
Involved Employee Information

URN: 912-07100-1365-047

Involved Employee

E 1

Employee # [redacted]	Last Name: Norville II	First Name: James	M.I.: R.
Sex: M / Race: Black	Rank: Deputy Sheriff	Unit Assignment: Lakewood Station	Work Assignment (Unit #, Module, etc.): 133T2
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: / Interviewed? ☒
Hrs of sleep prior to shooting: 7	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / (Uniform w/ Vest)	Other Factors:
Age: 50 / Height: 600 / Weight: 195			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] / Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E ___

Employee #	Last Name	First Name	M.I.
Sex: / Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age: / Height: / Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ / Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: / Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age: / Height: / Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ / Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 912-07100-1365-047

Suspect Information

S 1

Last Name: Chavarria	First Name: Raul	M.I.
AKA Last Name	First Name	M.I.
Sex: M Race: Hispanic	Street Address: [redacted]	City: [redacted] State & Zip Code: [redacted]
Work Phone: N/A	Home Phone: [redacted]	Social Security #: [redacted] Driver's License #: [redacted]
Age: 35 D.O.B. 03/22/77	Height: 509 Weight: 230	FBI # [redacted] CII # [redacted]
Booking # 3124994	Primary Charge: 211PC	Secondary Charge: 2800.2 (a) CVC
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐ Substance Used:
Armed? ☐	Apprehended? ☒	Mental Illness? ☐ Criminal History? ☒
Vehicle Make: Honda	Model: Civic	Year: 1991

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address:	City: State & Zip Code:
Work Phone:	Home Phone:	Social Security #: Driver's License #:
Age: D.O.B.	Height: Weight:	FBI # CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐ Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐ Criminal History? ☐
Vehicle Make	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address:	City: State & Zip Code:
Work Phone:	Home Phone:	Social Security #: Driver's License #:
Age: D.O.B.	Height: Weight:	FBI # CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐ Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐ Criminal History? ☐
Vehicle Make	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address:	City: State & Zip Code:
Work Phone:	Home Phone:	Social Security #: Driver's License #:
Age: D.O.B.	Height: Weight:	FBI # CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐ Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐ Criminal History? ☐
Vehicle Make	Model:	Year:

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

DEPUTY INVOLVED NON-HIT SHOOTING

UNIT:	Lakewood Station
DATE:	April 17, 2012, Tuesday
TIME:	1621 hours
LOCATION:	Bellflower Boulevard/Cedar Street, Bellflower, Ca. 90706
URN#:	912-07100-1364-089
IAB#:	SH2311518

On April 17, 2012, an Internal Affairs Bureau team comprised of Lieutenant [redacted] and Sergeants Sonja Bracken and Brenda Parker responded to Cedar Street, just west of Bellflower Boulevard, in the City of Bellflower to conduct a shooting review. Upon their arrival, they were informed of the following:

At approximately 1615 hours, Deputy James Norville II, #[redacted], was working Unit #133T1, in a marked patrol car, when he heard a voiced call of a robbery that had just occurred in the City of Paramount. The call described the suspect as a male Hispanic driving a red compact vehicle. Approximately six minutes later, Deputies Jason Lopez #[redacted] and Myesha Rice #[redacted] (Unit 133/P) observed a vehicle matching the suspect's vehicle driving erratically in the City of Bellflower. These deputies began to initiate a Code-9 operation (pre-stop coordination) but due to heavy traffic, lost the vehicle.

Shortly thereafter, Deputy Norville observed the same red compact vehicle traveling east on Artesia Boulevard from Clark Avenue. Deputy Norville broadcasted via his Sheriff's radio that he was in pursuit of the suspect's vehicle east on Artesia Boulevard. The suspect's vehicle turned south on Bellflower Boulevard at which time Sergeant Brian Bishop (Bellflower SAO Sergeant) became the second unit in the pursuit. The suspect vehicle drove approximately 100 yards and turned west on Cedar Street.

Due to the suspect's speed at the time of the turn, the suspect lost control of his vehicle and spun out, colliding with the front end of Deputy Norville's patrol car. The suspect's vehicle continued on and struck the north curb where it came to rest against a wrought iron fence.

The suspect exited the driver's door of his vehicle and began running west on Cedar Street towards a residential neighborhood. Deputy Norville was unable to exit the driver's door of his patrol car due to the door being jammed as a result of the traffic collision. Recognizing that Sergeant Bishop was on scene with him, Deputy Norville immediately exited his patrol car via the passenger's door and initiated a foot pursuit of the suspect.

Within approximately 35 – 45 yards of the suspect running, he began reaching into his waistband area while simultaneously turning his upper body back toward Deputy Norville who was pursuing him. Believing the robbery suspect was armed and retrieving a firearm, coupled with fearing for his safety, as well as the safety of Sergeant Bishop (who was behind him) and the safety of the community, Deputy Norville fired two rounds from his Department authorized 9MM pistol.

The suspect immediately dropped to the ground and surrendered. Deputy Norville along with Sergeant Bishop and other arriving deputies handcuffed and took Suspect Chavarria into custody without further incident.

The suspect was not injured as a result of the shooting but was transported to a local hospital for a complaint of pain to his back as a result of the traffic collision.

No firearm was located.

Deputy Norville's two shell casings were recovered along with the two expended bullet fragments. Both bullets fired struck a wrought iron fence which was located in the area directly behind the suspect.

The suspect was eventually positively identified by the victims of the robbery and their personal property was recovered from within the suspect's vehicle.

INVOLVED PERSONNEL

Norville II, James, Deputy Sheriff #[redacted]
Field Operations Region III
Lakewood Station

Work History

Reserve Deputy: [redacted]
Date of Employment: 02/08/1995
Date Assigned to patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

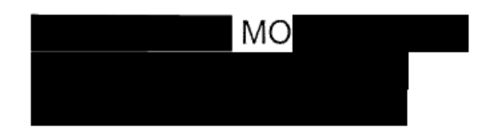
Suspect

Chavarria, Raul MH/03-22-1977
[redacted]

Sworn Witness

Bishop, Brian (Bellflower SAO Sergeant) #[redacted]
Lakewood Station
5130 Clark Avenue
Lakewood, California 90712

Civilian Witness


[redacted] MO [redacted]

INJURIES/PROPERTY DAMAGE

Other than the damages to Deputy Norville's patrol vehicle and the suspect's vehicle there were no injuries or reported property damage as a result of this incident. According to the medical report obtained from Lakewood Regional Medical Center, Suspect Chavarria's sustained whiplash during this incident but was cleared for booking.

PHYSICAL EVIDENCE

None

WEAPON USED BY DEPUTY PERSONNEL

Norville II, James (Deputy)

Duty Weapon: Department authorized Beretta, model 92FS, 9mm Luger caliber semiautomatic pistol with serial number BER175125.

Ammunition: 9mm Luger caliber cartridges bearing "WIN 9mm Luger" head stamp.

Date last qualified: [redacted]

WEAPONS USED BY SUSPECTS

None located.

CRIMINAL INVESTIGATION

The criminal investigation was handled by Lakewood Station's Detective Mark Leach. Internal Affairs Bureau Sergeant Sonja Bracken received copies of Detective Leach's criminal report on May 3, 2012, (**Refer to Exhibit A**).

Detective Leach filed charges of Assault with a Deadly Weapon; 245(a)(1) PC, Robbery; 211 PC, Felony Evading Arrest; 2800.2(A) VC, Hit and Run; 20002(A) VC, in Compton Superior Court on May 17, 2012. On July 23, 2012, Suspect Chavarria was sentenced to 5 years probation, eighty days community service for the Robbery and Evading charges. The 245 (a)(1) PC and 20002 (A) VC charges were dismissed.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during daylight hours. The weather was fair, warm and clear.

INVOLVED EMPLOYEE STATEMENT

Deputy James Norville II was interviewed on May 22, 2012, by Sergeants Sonja Bracken and Brenda Parker at Internal Affairs Bureau. Deputy Norville was accompanied by Attorney Erica Gurrola from the Law Offices of Green and Shinee. The interview was digitally recorded. This is a summary of the interview.

Deputy Norville said he was on a [redacted] at Artesia Boulevard and Bellflower Boulevard in Bellflower when he heard the broadcast of the robbery that occurred in the City of Paramount. He then heard the radio broadcast of a Code-9 (pre-stop coordination) behind the suspect's vehicle in Bellflower. Deputy Norville was heading west on Artesia Boulevard approaching Clark Avenue when he saw a red Honda fitting the robbery suspect's vehicle description, proceeding south on Clark Avenue in the north traffic lanes. The suspect's vehicle then proceeded southbound past him and turned east on Artesia Boulevard.

Deputy Norville clarified he initially broadcasted he was in pursuit of the suspect's vehicle west on Artesia Boulevard. He said he was proceeding west because his patrol vehicle was actually traveling west on Artesia Boulevard until he was able to turn around and pursue the suspect east on Artesia Boulevard. Deputy Norville said once he was able to make a u-turn at Clark Avenue, he broadcasted that he was east on Artesia Boulevard behind the suspect's vehicle. The suspect's vehicle came upon traffic at Bellflower Boulevard and went south into the parking lot of a plaza. The suspect's vehicle then exited the east driveway of the plaza and continued south on Bellflower Boulevard.

Deputy Norville said as the suspect's vehicle approached Cedar Street, it appeared the driver (Suspect Chavarria) began to go west on Cedar but then tried to correct and remain on Bellflower Boulevard. It appeared Suspect Garcia's indecision caused him to lose control of the vehicle, which caused the vehicle to spin. As Deputy Norville approached the intersection, he was unable to continue south on Bellflower Boulevard in an attempt to avoid colliding with suspect's vehicle. There were other patrol cars coming to assist him, parked vehicles and a business on the southwest corner. He also said it was not tactically safe for him to travel past the suspect's vehicle, west on Cedar Street in an attempt to avoid a collision with the suspect's vehicle; the suspect's vehicle spun into the front of his patrol vehicle. The suspect's vehicle came to a rest on top of the north curb and sidewalk of Cedar Street, facing north.

Deputy Norville said his driver's side door would not open due to the collision with the suspect's vehicle, he was unable to get out of patrol vehicle via that door. He believed he was stuck in his patrol car for approximately ten seconds. He saw the suspect exit his vehicle and look over at him.

At that point, he thought the suspect was going to start shooting at him or attack him, so he needed to get out of the patrol car immediately. He could only see the suspect's upper body and head but could not see his hands. Deputy Norville said he then crawled across to the front passenger door and exited the patrol car. He saw the suspect begin running west on Cedar Street, on the north sidewalk. He ordered him to stop and show his hands.

Deputy Norville said he pulled his duty weapon and realized the suspect was not complying with his orders. He also saw a deputy (later identified as Sergeant Bishop) next to him. Deputy Norville believed he broadcasted he was in foot pursuit as he began running west on Cedar Street. Deputy Norville said as he continued to yell commands for the suspect to stop, he saw the suspect look back at him several times as if he was trying to acquire a target. He said as the suspect continued to run west he could see that the suspect's right hand moved towards the front of his body and his left hand appeared to be raising up his shirt. Deputy Norville said he could not see the suspect's waistband.

> <u>IAB Note</u>: **Deputy Norville said he recalled grabbing his portable radio microphone as he ran after the suspect but he did not hear himself when the radio transmissions were played after the incident.**
>
> **Additionally, Deputy Norville said he was [redacted] to keep his portable radio on Channel 14 (Lakewood's main frequency) and the car radio on L-tac (tactical frequency). At the time of this vehicle pursuit he recalled turning the volume down on his portable radio and changing his car radio to Channel 14 for better transmission clarity, as he was trained to do, therefore both his radios were on Channel 14 once the suspect was taken into custody. He recalled his portable radio was functioning properly that day.**

Deputy Norville said based on the suspect's furtive movements, he was in fear for his life, Sergeant Bishop's life, the public's safety. He stopped running, took a combat stance (two hands on his firearm) and fired two rounds at the suspect. As he reassessed, the suspect immediately went down to the ground. Deputy Norville said he broadcasted that there was a deputy involved shooting as he kept his weapon pointed at the suspect. Approximately five to ten seconds later, two deputies (Jerome Gage #[redacted] and Otoniel Avila #[redacted]) ran up and took the suspect into custody without further incident.

> <u>IAB Note:</u> **Refer to Exhibits B and C, for Lakewood Station's foot pursuit and vehicle pursuit packages.**

IAB Note: Deputy Michael Herrera #[redacted], wrote a supplemental report on the incident. As he was approaching the scene, driving south towards Cedar Street, he could only see through a wrought iron fence that the suspect was running west, he then heard two shots as he rounded the corner to west Cedar Street. Deputy Herrera told IAB investigators he did not see the suspect's actions or any deputies actions leading up to the shooting.

Deputy Norville said at the time he initiated the vehicle pursuit of the suspect's vehicle, he was not aware of what type of robbery (weapon used or strong-arm) had occurred. He said his mindset was that this is the same vehicle that just evaded other deputies during a Code-9 operation and he was certain that this was the robbery suspect's vehicle. He said the time frame from when he heard the Code-9 coordination until he came across the suspect's vehicle was approximately thirty to forty seconds. He said the female deputy (Deputy Rice) who was broadcasting the Code-9 said there were two suspects inside the suspect's vehicle. Deputy Norville said when he saw the suspect's vehicle he only saw one male Hispanic inside.

Deputy Norville denied that he performed a Pursuit Immobilization Techinique (PIT) maneuver on the suspect's vehicle **(as Suspect Chavarria alleged during his IAB interview).**

Deputy Norville could not recall the color of the suspect's clothing but he recalled that his clothing was baggy.

Deputy Norville said prior to initiating the foot pursuit, he saw another deputy (Sergeant Bishop) get out of a patrol car and yell something but at the time he did not recognize Sergeant Bishop or his voice. He said there was no verbal communication between himself and Sergeant Bishop as he went into foot pursuit of the suspect. He recalled running west in the middle of Cedar Street and Sergeant Bishop paralleling him on the north sidewalk.

IAB Note: Refer to Exhibit F, for crime scene photographs referred to in Deputy Norville's IAB interview (page 9 of transcript), depicting his position when he fired the two rounds.

Deputy Norville said he was approximately forty feet from the suspect when he fired the two rounds. He said the suspect never stopped running as he continued looking back towards him. Deputy Norville said his mind set as he was firing the two rounds was that the suspect was "just looking at to (sic) kill him, he's pulling a gun out; he was just involved in a robbery, a pursuit, he wants to get away, and so I'm in fear for my life and my partner, and if he got away, maybe, you know somebody else he might hurt." He thought, "if he gets away, and he's armed, he's gonna take someone hostage, shoot at somebody, rob somebody else." He also thought, "if he got away, could be a barricaded situation, hostage situation." Deputy Norville said at the time the suspect looked back at him a third time and reached toward his waistband with his right hand, he felt he was in a life threatening situation.

Deputy Norville said after he fired the two rounds he was not sure if the suspect was hit, so he immediately looked for cover. He saw two options; a burgundy car parked on the south curb of Cedar Street and the power boxes on the north curb of Cedar Street. He did not want to run in front of Sergeant Bishop who was near the power boxes, so he moved from the middle of the street, around the back (west) of the burgundy vehicle, took cover at the burgundy vehicle's rear tire well area, on the south sidewalk. His mindset was to reassess the situation, just in case the suspect was still a threat, or if he needed to fire two more rounds or determine the necessity to continue the foot pursuit.

Deputy Norville said his backdrop at the time he fired the two rounds was a wrought iron fence and an auto repair shop (Sun Auto). He said the repair shop appeared to be in his left peripheral vision at the time he fired. He said he just pointed his duty weapon and fired two rounds, he attempted to line up his sights on the suspect as he (the suspect) was running. He said he did not see any pedestrians or vehicle traffic in his backdrop. Deputy Norville said he intentionally fired his weapon twice at the suspect; there were no accidental discharges.

> **IAB Note: Refer to Exhibit H, for crime scene photographs depicting Deputy Norville's bullet impact locations.**

Deputy Norville said from the time he heard the Code-9 coordination on the radio until the time he located the suspect's vehicle, approximately thirty to forty five seconds had elapsed. He then said from the time he observed the suspect's vehicle until the suspect was taken into custody, approximately one minute and a half had elapsed.

SWORN WITNESS STATEMENT

Sergeant Brian Bishop was interviewed on April 17, 2012, by Sergeants Sonja Bracken and Brenda Parker at Lakewood Station. The interview was digitally recorded. This is a summary of the interview.

Sergeant Bishop said at the time of this incident he was at the end of his shift, driving from the City of Bellflower to Lakewood Station. He heard a Code-9 operation being coordinated via his Sheriff's radio, for a robbery suspect's vehicle. He said due to Code-9 occurring in the City of Bellflower, he turned around to see if he could assist. He then heard Deputy Norville broadcast he was in pursuit of a robbery suspect's vehicle traveling east on Artesia Boulevard from Clark Avenue. Sergeant Bishop said as he proceeded north on Bellflower Boulevard the pursuit turned south on Bellflower Boulevard towards him. As he came upon the pursuit, he immediately saw that Deputy Norville was alone, so he turned around at Ramona Street and joined Deputy Norville in the pursuit.

Sergeant Bishop said the suspect lost control of his vehicle at Cedar Street, causing the vehicle to spin out of control (clockwise). He said as Deputy Norville attempted to slow down and make the right turn (west) onto Cedar Street, Deputy Norville's patrol car collided with the suspect's vehicle.

Sergeant Bishop said as he approached Cedar Street, he observed the suspect's vehicle had come to rest up on the north curb of Cedar Street, facing north. Sergeant Bishop said he stopped his patrol car approximately ten feet away from the suspect's vehicle, just north of Deputy Norville's patrol car, facing west.

Sergeant Bishop said as he was exiting he patrol car, the suspect exited the driver's side of the suspect's vehicle. He yelled at the suspect to get down on the ground, the suspect did not comply and began running west on Cedar Street, on the north sidewalk. Sergeant Bishop said as he and Deputy Norville began chasing the suspect west on Cedar Street, the suspect continuously looked back at them. Sergeant Bishop said the suspect looked as if he was trying to see where he and Deputy Norville were, to acquire a target on them.

Sergeant Bishop said it appeared that the suspect was holding or carrying something in the front of his jacket or pants. He said it also appeared that the suspect was possibly either retrieving or hiding a weapon. He said at one point the suspect appeared as if he was turning his upper body back towards them as he was still running. Sergeant Bishop said he heard Deputy Norville putting out radio traffic as they were in foot pursuit of the suspect.

Sergeant Bishop said that Deputy Norville was aware he (Sergeant Bishop) was on scene with him because when the suspect began to run, he yelled at Deputy Norville, "Let's go. Let's run after him." He said as they chased the suspect, they were parallel to each other (Sergeant Bishop on the north sidewalk and Deputy Norville in the street). He said they were both yelling commands at suspect to "stop running" and "get down." Sergeant Bishop said as he approached the telephone pole on the north sidewalk of Cedar Street, he heard Deputy Norville fire two shots at the suspect. Sergeant Bishop said he and Deputy Norville both had their weapons out of their holsters but he (Sergeant Bishop) did not fire any rounds at the suspect. He said he did not feel threatened by the suspect, that is why he did not fire his weapon.

Sergeant Bishop said he used the telephone pole on the north sidewalk as cover. He said it appeared to him that Deputy Norville was going to use the same telephone pole as cover but he was more focused on the location of the suspect and the backdrop (behind the suspect). He said he did not see any people immediately in his backdrop (Sun Auto driveway) but did see people in the back in the garages of the repair shop (Sun Auto).

Sergeant Bishop said almost immediately after the shots, the suspect went down to the ground. He said it did not appear that the suspect was hit by a round but that he just fell to the ground because he was being fired upon. He said almost immediately Deputy Herrera and other deputies arrived on scene and the suspect was taken into custody without further incident.

Sergeant Bishop said he recalled during the immediate search of the suspect, the suspect was wearing a long shirt and pants that did not appear overly baggy. No weapon was located on the suspect's person or in his vehicle.

Sergeant Bishop said during the initial Code-9 operation it was not known what type of robbery had occurred. Sergeant Bishop said his mindset was to assist in the pursuit until other assisting units and the on-duty field sergeant (130S- Oscar Butao #[redacted]) could arrive on scene. He said due to the suspect's actions prior to other units arriving, he became involved and assisted Deputy Norville during the incident.

CIVILIAN STATEMENT

Witness [redacted] was interviewed on April 17, 2012, by Sergeants Sonja Bracken and Brenda Parker at Lakewood Station. The interview was digitally recorded. This is a summary of the interview.

Witness [redacted] said he is the [redacted] of the [redacted] lot located on the [redacted] corner of Bellflower Boulevard and Cedar Street ([redacted]). He was inside his office when he heard police sirens and a loud bang which caused him to come out of his office. He did not see the collison between the suspect's vehicle and Deputy Norville's patrol car. When he came outside he saw a red car on Cedar Street and a heavyset male Hispanic running away from that car west on Cedar Street. Witness [redacted] believed he saw approximately five to six deputies chasing the male (Suspect Chavarria) on foot.

Witness [redacted] said he heard and saw a black male deputy (Deputy Norville) yelling at the suspect, "Stop or I'm going to shoot," while pointing his weapon in the direction of the suspect. Witness [redacted] said he saw that same deputy shoot at the suspect two to three times, then he ([redacted]) ducked behind a black Chevy truck in [redacted] lot and did not actually see the shooting. Witness [redacted] said from where he was positioned behind the Chevy truck, he could only see the black deputy in the street but could not see the suspect's actions just prior to hearing the gunshots.

> **IAB Note: Refer to Exhibit G, for crime scene photographs depicting the location of the black Chevy Truck that Witness [redacted] referred to during his IAB interview.**

Witness [redacted] said once the suspect went down to the ground, he was handcuffed and escorted to a patrol car without further incident. Witness [redacted] said he only video recorded the incident with his cell phone from the point the suspect was handcuffed until he was escorted to a patrol car. Witness [redacted] said the incident last approximately one and a half to two minutes from the time he heard the initial loud bang until the suspect was handcuffed. He said he began recording the incident after the suspect was handcuffed for approximately three minutes, he estimated the total time of the incident was approximately five to seven minutes.

Witness [redacted] said the shots fired by the black deputy appeared to be directed toward the auto repair shop (Sun Auto) on the northwest corner, behind the empty lots.

<u>IAB Note:</u> During the IAB interview, IAB investigators reviewed the video footage on Witness [redacted] cell phone and confirmed that he did not record the actual shooting. That cell phone video was downloaded and saved in Lakewood Station's Detective Bureau photo files by Detective Richard Torres.

<u>IAB Note:</u> Two additional witnesses were listed on the criminal report. Those witnesses gave statements related to the robbery in Paramount and were not on the scene of the shooting.

SUSPECTS STATEMENTS

Suspect Chavarria was interviewed on April 17, 2012, by Sergeants Sonja Bracken and Brenda Parker at Lakewood Station. The interview was digitally recorded. This is a summary of the interview.

Suspect Chavarria said that he saw deputies' patrol cars with lights and sirens behind him, as he was driving on Bellflower Boulevard near Ramona Street. He said he "supposed" they were chasing him. He said he was not trying to get away from the deputies; he was trying to get his father-in-law's vehicle to his home on Ramona Street (actual address unknown). He realized he passed Ramona Street and then lost control of his vehicle as it fish-tailed side to side as he attempted to turn. He was not sure if a deputy conducted a PIT maneuver on his vehicle. He said he felt the deputy's patrol car collide with his vehicle after it began fish-tailing. He then said he was not sure if the collision occurred before or after his vehicle began to fish-tail. He said once his vehicle came to a stop, he saw one deputy who appeared to be stuck in his patrol car. At that point is when he decided to leave the scene by jogging away.

Suspect Chavarria said he did not hear any deputies give him any commands prior to hearing two or three gunshots. He said he only saw one black deputy with his gun pointed at him prior to the gunshots, then he looked back after the shots and there were two deputies. Suspect Chavarria denied that he had anything in his hands or was holding his waist as he was running away from deputies. He said his hands were in a normal running motion at his sides. He said he would never put his hands near his waist because he knows he would get shot. He denied turning around toward the deputies and doubted that he was looking at the deputies as he was running away.

Suspect Chavarria said once he heard the gunshots he went down on the ground and followed the deputies' orders. He said he went to the ground because he was scared that he would get shot. He said he was not injured except for sustaining whiplash and a sore knee as a result of the collision with the deputy's patrol car.

Suspect Chavarria said he did not have any weapons on him as he was running away from deputies. Suspect Chavarria confirmed that he was wearing the same clothes (slightly baggy blue jeans with a belt on, long black shirt) that he had on during the shooting incident with deputies. He denied that his pants were falling down and that he was attempting to pull them up as he was running from deputies.

Suspect Chavarria said he was not hit with anything once he was handcuffed and detained.

Suspect Chavarria could not clearly answer if there were any people on the street, in front of him as he was running west on Cedar Street.

Suspect Chavarria was no longer comfortable speaking with IAB investigators, therefore the interview was concluded.

IAB Note: Refer to Exhibit E, for crime scene diagram, photographs and a CD containing the same photographs.

IAB Note: The area of the incident was canvassed for additional witnesses and/or video surveillance. Deputy Shawn Snyder [redacted] obtained copies of the video footage captured by a local business, [redacted], refer to his supplemental report in Exhibit A and the CD in Exhibit J.

Additionally, on March 12, 2013, Sergeant Bracken received and reviewed the video surveillance from [redacted]. It did not show any footage during the time frame of the actual incident, it showed footage afterwards. Sergeant Bracken contacted the new manager of [redacted], [redacted], who advised that they no longer have video from the date of this incident. Detective Leach was not able to locate Witness [redacted] cell phone video in Lakewood Station's computer system.

IAB Note: There were no aerial photographs taken of this incident. A helicopter was not available at the time.